



THE CITY OF SAN DIEGO

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September 14, 1999

Honorable Wayne L. Peterson
Presiding Judge, Superior Court
Hall of Justice
P.O. Box 2724
San Diego, CA 92112-2720

Dear Judge Peterson:

Subject: Response to Grand Jury Report

This response to the report of the 1998-1999 San Diego County Grand Jury was developed by the Police Chief and my staff, after an intensive review of the Grand Jury's recommendations. This response is to the report entitled "Consolidation of San Diego Region's Crime Laboratories."

Grand Jury Recommendation 99-112:

"The San Diego City Council and the San Diego County Board of Supervisors should start immediately to incrementally consolidate portions of the SDPD and SDSO Crime Laboratories. As a first step, they should consolidate the DNA section of the SDPD Crime Laboratory into the remodeled, current SDSO Clairemont Mesa Crime Laboratory. The newly-formed DNA section should operate under the direction of the SDSO."

Response:

The City of San Diego is not opposed to discussing merger possibilities of the Police Department's laboratory with that of the Sheriff's Department. This discussion should take place when the merger is one of equal partners bringing equal resources, status and performance to the negotiating table with the intent and likelihood of increased service levels to the constituents of both the City and the County. This is impossible at the present time.



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Page 2

Honorable Wayne L. Peterson

September 14, 1999

The Sheriff's Department has estimated its laboratory caseload at being 150% of that of the Police Department's, while their staffing and equipment levels are substantially lower. A merger now would marginally enhance the service provided to investigators and prosecutors working cases in the areas served by the Sheriff's Laboratory, while significantly decreasing the service to investigators and prosecutors working cases within the City of San Diego.

The San Diego Police Department has invested a substantial amount of resources and effort over many years toward establishing a state of the art, nationally accredited crime laboratory able to meet the needs of its investigators and prosecutors. The Sheriff's Department has not made the same investment. While they have recently committed to hiring additional laboratory personnel, several areas of their Laboratory, including their DNA and Firearms Units, are still in a developmental state.

The Police Department initiated its DNA program in 1990. The Sheriff's DNA program has not started performing casework. The Police Department has had a strong, productive Firearms Unit since 1984. The Sheriff's program is not yet functional. The Police Department currently enjoys same day turnaround on Narcotics cases providing results for the District Attorney at arraignment. This level of service is not available at the Sheriff's laboratory.

The Grand Jury report suggests that the Police Department's DNA Unit consolidate with the Sheriff's DNA Unit, at the Sheriff's laboratory, and under the direction of the Sheriff's laboratory. The suggestion that a newly consolidated DNA laboratory operate under the direction of the Sheriff's Department is not viable, considering the DNA expertise resides with the Police Department staff. Further, merging a portion of the Police Department's laboratory with the Sheriff's laboratory would not be desirable in terms of the interactions necessary between the DNA Unit and other laboratory units. The DNA Unit interacts frequently with the Firearms and Trace Evidence Units, and in many cases they need to look at and share the same items of evidence. It would be unacceptable for the Police Department's laboratory personnel to transport items of evidence currently under examination across town for an evaluation by the DNA Unit.

DNA and other laboratory programs are expensive to start up, staff, equip and operate. City constituents have already paid for many of these services. A merger now would result in a significant decrease in the level of service they are currently receiving.

Page 3

Honorable Wayne L. Peterson

September 14, 1999

Representatives of the County have stated that a primary intent of a laboratory merger would be to save money. This is unlikely. We have information from other regions' laboratories' which have merged, that savings are unlikely and that all parties are rarely satisfied afterward. There is little economy of scale in most crime lab work. Each criminalist can perform a predictable number of procedures in a given amount of time while maintaining quality standards.

In a recent top to bottom management study of the Police Department's laboratory, the efficiency of the criminalists was compared nationally to those in comparable accredited laboratories. The comparison studied how much time it took a criminalist to perform each type of procedure. The study found the police lab to be functioning exceptionally well. As a result of the study, over 60 recommendations were developed and implemented to enhance productivity. In the absence of new technology, the criminalists cannot significantly increase their output while maintaining the quality and consistency necessary to ensure fairness in the Criminal Justice System. They would be unable to absorb the County's workload in addition to their own.

The Sheriff's laboratory's Clairemont facility cannot adequately house the Police Department's laboratory staff. Sheriff's laboratory personnel are currently using approximately 40,000 square feet of the 65,000 square foot building. There is no space advantage to the SDPD laboratory to move from its current location into the Clairemont facility. Clearly, a new facility would be necessary to house a combined laboratory. The substantial resources necessary to build an adequate facility have not been identified.

The idea of "immediate" consolidation of any part of the laboratory is ill-advised. Prior to consolidation, a complete analysis of space needs and costs should be examined to minimize disruption of service. Facility, organizational and governance issues would also have to be coordinated and agreed upon.

Grand Jury recommendation 99-115:

"The San Diego City Council and the San Diego County Board of Supervisors should take steps to form a JPA as a centralized agency with appropriate representation from law enforcement. The JPA is to take over control and management of the new area Crime Laboratory upon completion of construction."

Page 4

Honorable Wayne L. Peterson
September 14, 1999

Response:

The JPA would be a desirable way to approach a consolidation only after the issues outlined in the City's response to recommendation 99-112 are resolved.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Uberuaga". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael T. Uberuaga
City Manager

MTU:NG:kk

cc: Honorable Mayor
City Council

AIM #99-0488